

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION

DEMETRIUS BROWN,)	
Plaintiff,)	
)	
)	
v.)	Civil Action No. 04-379E
)	
U.S. JUSTICE DEPARTMENT,)	
BUREAU OF PRISONS, FCI MCKEAN,)	
WARDEN JOHN J. LAMANNA,)	
REGIONAL DIRECTOR D. SCOTT)	
DODRILL, MEDICAL DIRECTOR)	
NEWTON E. KENDIG, DIRECTOR)	
HARLEY G. LAPPIN,)	
Defendants.)	

ORDER

AND NOW, this _____ day of February, 2006,

IT IS HEREBY ORDERED THAT, the Defendants' Motion for Substitution of Parties is **DENIED** as **MOOT**

IT IS FURTHER ORDERED THAT, substitution of the Defendants- United States Justice Department, Bureau of Prisons, FCI McKean, and other Defendants- John J. LaManna, D. Scott Dodrill, Newton E. Kendig, and Harley G. Lappin, in their official capacities is **MOOT** by JOINDER OF PARTIES.

IT IS FURTHER ORDERED THAT, substitution of the Defendants- John J. LaManna, D. Scott Dodrill, Newton E. Kendig, and Harley G. Lappin, is **MOOT** by JOINDER OF CLAIMS under "Bivens" in Defendants individual capacities for violations under the Constitution.

IT IS FURTHER ORDERED THAT, the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

/s/

cc: All parties of record